

2255,APPEAL,CUSTODY

U.S. District Court
United States District Court – District of New Mexico (Albuquerque)
CRIMINAL DOCKET FOR CASE #: 1:19-cr-00077-JB-SMV-1

Case title: USA v. Nissen

Related Case: 1:21-cv-00505-JB-SMV

Magistrate judge case number: 1:18-mj-04031-SCY

Date Filed: 01/10/2019

Date Terminated: 06/18/2021

Assigned to: District Judge James
O. Browning
Referred to: Magistrate Judge
Stephan M. Vidmar

Appeals court case number:
21-2079 U.S. Court of Appeals

Defendant (1)

Michael Nissen

TERMINATED: 06/18/2021

represented by **Jack (Hakop) J. Mkhitarian**
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Designation: Retained

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TERMINATED: 03/28/2019
*Designation: Public Defender or Community
Defender Appointment*

Pending Counts

18:875(C): Interstate
Communications Containing a
Threat to Injure the Person of
Another
(1)

18:875(C): Interstate
Communications Containing a
Threat to Injure the Person of
Another
(2)

Highest Offense Level

Disposition

SENTENCE IMPOSED: CBOP-41 months
concurrent; Supervised Release-3 years concurrent;
SPA-\$200; debt in custody

SENTENCE IMPOSED: CBOP-41 months
concurrent; Supervised Release-3 years concurrent;
SPA-\$200; debt in custody

(Opening)

Felony

Terminated Counts

None

Highest Offense Level
(Terminated)

None

Complaints

18:875(c): Interstate
Communication

Disposition

SENTENCE IMPOSED: CBOP—41 months
concurrent; Supervised Release—3 years concurrent;
SPA—\$200; debt in custody

Plaintiff

USA

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Date Filed	#	Page	Docket Text
12/19/2018	<u>1</u>		COMPLAINT as to Michael Nissen (1). (cl) [1:18-mj-04031-SCY] (Entered: 12/19/2018)
12/20/2018			Arrest of Michael Nissen (nm) [1:18-mj-04031-SCY] (Entered: 12/20/2018)
12/20/2018			Initial Appearance as to Michael Nissen set for 12/20/2018 at 09:30 AM in Albuquerque – 320 Rio Grande Courtroom before Magistrate Judge Steven C. Yarbrough. (nm) [1:18-mj-04031-SCY] (Entered: 12/20/2018)
12/20/2018	<u>3</u>		Clerk's Minutes before Magistrate Judge Steven C. Yarbrough: Initial Appearance as to Michael Nissen held; Preliminary/Detention Hearing set for 12/21/2018 at 09:30 AM in Albuquerque – 320 Rio Grande Courtroom (Recording Info: Liberty – Rio Grande) (kd) [1:18-mj-04031-SCY] (Entered: 12/20/2018)
12/20/2018	4		ORAL ORDER of Temporary Detention pending hearing as to Michael Nissen by Magistrate Judge Steven C. Yarbrough (kd) [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] [1:18-mj-04031-SCY] (Entered: 12/20/2018)
12/20/2018	<u>5</u>		Arrest Warrant Returned Executed on 12/19/2018 as to Michael Nissen. (cl) [1:18-mj-04031-SCY] (Entered: 12/20/2018)
12/20/2018	7		ORDER APPOINTING FEDERAL PUBLIC DEFENDER Melissa Ayn Morris for Michael Nissen by Magistrate Judge Steven C. Yarbrough (nm) [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] [1:18-mj-04031-SCY] (Entered: 12/20/2018)
12/21/2018	<u>8</u>		WAIVER of Preliminary Hearing by Michael Nissen (cl) [1:18-mj-04031-SCY] (Entered: 12/21/2018)
12/21/2018	<u>9</u>		Clerk's Minutes before Magistrate Judge Steven C. Yarbrough: Preliminary/Detention Hearing as to Michael Nissen held; deft waives preliminary hearing; Probable Cause found; deft remanded to custody of USMS (Recording Info: Liberty – Rio Grande) (kd) [1:18-mj-04031-SCY] (Entered: 12/21/2018)
12/21/2018	<u>10</u>		ORDER OF DETENTION as to Michael Nissen by Magistrate Judge Steven C. Yarbrough (kd) [1:18-mj-04031-SCY] (Entered: 12/21/2018)
01/10/2019	<u>12</u>		REDACTED INDICTMENT as to Michael Nissen. (nm) (Entered: 01/11/2019)
01/11/2019			Arraignment as to Michael Nissen set for 1/15/2019 at 09:30 AM in Albuquerque – 320 Rio Grande Courtroom before Magistrate Judge Karen B. Molzen. (nm) (Entered: 01/11/2019)
01/15/2019	<u>13</u>		Clerk's Minutes for proceedings held before Magistrate Judge Karen B. Molzen: Arraignment as to Michael Nissen (1) Count 1–2 held on 1/15/2019 (Recording Info: Rio Grande) (emr) (Entered: 01/15/2019)

01/15/2019	<u>14</u>		DISCOVERY ORDER as to Michael Nissen by Magistrate Judge Karen B. Molzen (emr) (Entered: 01/15/2019)
01/16/2019	<u>15</u>		NOTICE of Attorney Substitution: Paul Mysliwec substituted for Jack Burkhead (Mysliwec, Paul) (Entered: 01/16/2019)
01/16/2019			Attorney update in case as to Michael Nissen. Attorney Paul Mysliwec for USA added. Attorney Jack Burkhead terminated. (vv) (Entered: 01/16/2019)
01/17/2019	<u>16</u>		NOTICE OF HEARING as to Michael Nissen: Jury Selection/Trial set for 3/18/2019 at 09:00 AM in Albuquerque – 460 Vermejo Courtroom before District Judge James O. Browning. (vv) (Entered: 01/17/2019)
03/28/2019	<u>21</u>		ORDER Substituting Kenneth A. Gleria and Jack Mkhitarian for Melissa A. Morris as to Michael Nissen by Magistrate Judge Steven C. Yarbrough (nm) (Entered: 03/29/2019)
04/24/2019	<u>22</u>		MOTION for Bill of Particulars by Michael Nissen. (Gleria, Kenneth) (Entered: 04/24/2019)
04/28/2019	<u>23</u>		RESPONSE in Opposition by USA as to Michael Nissen re <u>22</u> MOTION for Bill of Particulars (Mysliwec, Paul) (Entered: 04/28/2019)
05/15/2019	<u>24</u>		MOTION to Dismiss for Lack of Jurisdiction by Michael Nissen. (Mkhitarian, Hakop) (Entered: 05/15/2019)
05/15/2019	<u>25</u>		MOTION to Dismiss <i>Indictment</i> by Michael Nissen. (Mkhitarian, Hakop) (Entered: 05/15/2019)
05/23/2019	<u>26</u>		First MOTION for Reconsideration <i>Motion to Reconsider Detention Order and Request for Hearing</i> by Michael Nissen. (Gleria, Kenneth) (Entered: 05/23/2019)
05/23/2019	<u>27</u>		RESPONSE in Opposition by USA as to Michael Nissen re <u>26</u> First MOTION for Reconsideration <i>Motion to Reconsider Detention Order and Request for Hearing</i> (Mysliwec, Paul) (Entered: 05/23/2019)
05/28/2019	<u>28</u>		RESPONSE in Opposition by USA as to Michael Nissen re <u>25</u> MOTION to Dismiss <i>Indictment</i> , <u>24</u> MOTION to Dismiss for Lack of Jurisdiction (Attachments: # <u>1</u> Exhibit T–Mobile Switch Information)(Mysliwec, Paul) (Entered: 05/28/2019)
06/11/2019	30		NOTICE OF HEARING as to Michael Nissen: Competency Hearing set for 6/25/2019 at 08:30 AM in Albuquerque – 460 Vermejo Courtroom before District Judge James O. Browning. (cab) [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (Entered: 06/11/2019)
06/14/2019	<u>31</u>		First MOTION to Continue <i>Trial</i> by Michael Nissen. (Mkhitarian, Hakop) (Entered: 06/14/2019)
06/14/2019	<u>32</u>		First MOTION to Continue <i>Competency Hearing</i> by Michael Nissen. (Mkhitarian, Hakop) (Entered: 06/14/2019)
06/17/2019	<u>33</u>		ORDER TO CONTINUE by District Judge James O. Browning granting <u>31</u> First MOTION to Continue <i>Trial</i> . Jury Trial rescheduled for 7/24/2019 at 09:00 AM in Albuquerque – 460 Vermejo Courtroom before District Judge

			James O. Browning. (vv) (Entered: 06/17/2019)
06/18/2019	<u>34</u>		ORDER by District Judge James O. Browning granting <u>32</u> Motion to Continue as to Michael Nissen (1) Competency Hearing set for 7/16/2019 at 10:30 AM in Albuquerque – 460 Vermejo Courtroom before District Judge James O. Browning. (vv) (Entered: 06/18/2019)
07/16/2019	35		NOTICE OF HEARING ON MOTION in case as to Michael Nissen <u>26</u> First MOTION for Reconsideration <i>Motion to Reconsider Detention Order and Request for Hearing</i> , <u>22</u> MOTION for Bill of Particulars , <u>24</u> MOTION to Dismiss for Lack of Jurisdiction , <u>25</u> MOTION to Dismiss <i>Indictment</i> : Motion Hearing set for 7/16/2019 at 10:31 AM in Albuquerque – 460 Vermejo Courtroom before District Judge James O. Browning. (cab) [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (Entered: 07/16/2019)
07/16/2019	<u>36</u>		Clerk's Minutes for proceedings held before District Judge James O. Browning: Competency Hearing as to Michael Nissen held on 7/16/2019 (Court Reporter: J Bean) (vv) (Entered: 07/16/2019)
07/16/2019	37		NOTICE OF HEARING ON MOTION in case as to Michael Nissen <u>24</u> MOTION to Dismiss for Lack of Jurisdiction , <u>25</u> MOTION to Dismiss <i>Indictment</i> : Motion Hearing set for 7/26/2019 at 10:00 AM in Albuquerque – 460 Vermejo Courtroom before District Judge James O. Browning. (cab) [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (Entered: 07/16/2019)
07/16/2019	38		NOTICE OF HEARING as to Michael Nissen: Pretrial Conference set for 7/26/2019 at 10:00 AM in Albuquerque – 460 Vermejo Courtroom before District Judge James O. Browning. (cab) [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (Entered: 07/16/2019)
07/17/2019	<u>39</u>		Unopposed MOTION to Continue <i>Trial of July 24, 2019</i> by Michael Nissen. (Gleria, Kenneth) (Entered: 07/17/2019)
07/26/2019	<u>40</u>		Stipulated ORDER to finding of competency as to Michael Nissen by District Judge James O. Browning (vv) (Entered: 07/26/2019)
07/26/2019	<u>41</u>		ORDER TO CONTINUE by District Judge James O. Browning granting <u>39</u> Unopposed MOTION to Continue <i>Trial of July 24, 2019</i> . Jury Trial reset for 8/5/2019 at 09:00 AM in Albuquerque – 460 Vermejo Courtroom before District Judge James O. Browning. (vv) (Entered: 07/26/2019)
07/26/2019	<u>43</u>		Clerk's Minutes for proceedings held before District Judge James O. Browning: Motion Hearing re <u>24</u> <u>25</u> Motions to Dismiss and Pretrial Conference held as to Michael Nissen on 7/26/2019 (Court Reporter: J Bean) (vv) (Entered: 07/29/2019)
07/27/2019	<u>42</u>		Unopposed MOTION to Continue <i>Trial of August 5, 2019</i> by Michael Nissen. (Gleria, Kenneth) (Entered: 07/27/2019)
07/29/2019	<u>44</u>		NOTICE OF ATTORNEY APPEARANCE Alexander Mamoru Max Uballez appearing for USA. (Uballez, Alexander) (Entered: 07/29/2019)
07/29/2019			Attorney update in case as to Michael Nissen. Attorney Alexander Mamoru

		Max Uballez for USA added. (vv) (Entered: 07/29/2019)
07/29/2019	<u>45</u>	ORDER TO CONTINUE by District Judge James O. Browning granting <u>42</u> Unopposed MOTION to Continue <i>Trial of August 5, 2019</i> . Jury Trial reset for 8/6/2019 at 08:30 AM in Albuquerque – 460 Vermejo Courtroom before District Judge James O. Browning. (vv) (Entered: 07/29/2019)
07/29/2019	<u>46</u>	First MOTION in Limine , <i>404B Notice and Notice of Res Gestae Evidence</i> by USA as to Michael Nissen. (Mysliwiec, Paul) (Entered: 07/29/2019)
07/29/2019	<u>47</u>	Proposed Voir Dire by USA as to Michael Nissen (Mysliwiec, Paul) (Entered: 07/29/2019)
07/30/2019	<u>48</u>	WITNESS LIST by USA as to Michael Nissen (Mysliwiec, Paul) (Entered: 07/30/2019)
07/30/2019	<u>49</u>	EXHIBIT LIST by USA as to Michael Nissen (Mysliwiec, Paul) (Entered: 07/30/2019)
07/30/2019	50	NOTICE OF HEARING ON MOTION in case as to Michael Nissen <u>46</u> First MOTION in Limine , <i>404B Notice and Notice of Res Gestae Evidence</i> : Motion Hearing set for 8/5/2019 at 03:30 PM in Albuquerque – 460 Vermejo Courtroom before District Judge James O. Browning. (cab) [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (Entered: 07/30/2019)
07/30/2019	51	NOTICE OF HEARING as to Michael Nissen: DAY 2 Jury Trial set for 8/7/2019 at 08:30 AM in Albuquerque – 460 Vermejo Courtroom before District Judge James O. Browning. (cab) [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (Entered: 07/30/2019)
07/31/2019	<u>52</u>	Proposed Voir Dire by Michael Nissen (Gleria, Kenneth) (Entered: 07/31/2019)
07/31/2019	<u>53</u>	Proposed Jury Instructions by USA as to Michael Nissen (Mysliwiec, Paul) (Entered: 07/31/2019)
07/31/2019	<u>54</u>	RESPONSE in Opposition by Michael Nissen re <u>46</u> First MOTION in Limine , <i>404B Notice and Notice of Res Gestae Evidence</i> (Gleria, Kenneth) (Entered: 07/31/2019)
08/01/2019	<u>55</u>	MOTION to Dismiss by Michael Nissen. (vv) (Entered: 08/01/2019)
08/01/2019	56	NOTICE OF HEARING ON MOTION in case as to Michael Nissen <u>55</u> MOTION to Dismiss, <u>46</u> First MOTION in Limine , <i>404B Notice and Notice of Res Gestae Evidence</i> : Motion Hearing set for 8/1/2019 at 04:00 PM in Albuquerque – 460 Vermejo Courtroom before District Judge James O. Browning. (cab) [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (Entered: 08/01/2019)
08/01/2019	<u>57</u>	EXHIBIT LIST by USA as to Michael Nissen (Mysliwiec, Paul) (Entered: 08/01/2019)
08/02/2019	<u>58</u>	Clerk's Minutes for proceedings held before District Judge James O. Browning: Motion Hearing held on 8/2/2019 re <u>55</u> MOTION to Dismiss, and

		<u>46</u> First MOTION in Limine , <i>404B Notice and Notice of Res Gestae Evidence</i> filed by USA (Court Reporter: M. Seal) (vv) (Entered: 08/02/2019)
08/02/2019	<u>59</u>	Court's First Proposed Preliminary Jury Instructions with citations as to Michael Nissen by District Judge James O. Browning (vv) (Entered: 08/02/2019)
08/05/2019	<u>60</u>	EXHIBIT LIST by USA as to Michael Nissen (Mysliwicz, Paul) (Entered: 08/05/2019)
08/05/2019	<u>61</u>	Email as to Michael Nissen (vv) (Entered: 08/05/2019)
08/06/2019	<u>62</u>	Court's First Proposed Jury Instructions [with citations] as to Michael Nissen by District Judge James O. Browning (vv) (Entered: 08/06/2019)
08/06/2019	<u>63</u>	Court's First Proposed Jury Instructions with citations as to Michael Nissen by District Judge James O. Browning (vv) (Entered: 08/06/2019)
08/06/2019	<u>70</u>	Clerk's Minutes for proceedings held before District Judge James O. Browning: Jury Selection/Trial as to Michael Nissen held on 8/6/2019 and 8/7/2019. (Court Reporter: J Bean) (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit) (vv) (Entered: 08/08/2019)
08/07/2019	<u>64</u>	Court's Second Proposed Preliminary Jury Instructions (cab) (Entered: 08/07/2019)
08/07/2019	<u>65</u>	Court's First Proposed Jury Instructions by District Judge James O. Browning (cab) (Entered: 08/07/2019)
08/07/2019	<u>66</u>	Court's Second Proposed Jury Instructions by District Judge James O. Browning (cab) (Entered: 08/07/2019)
08/07/2019	<u>67</u>	Court's Third Proposed Jury Instructions with citations as to Michael Nissen by District Judge James O. Browning (vv) (Entered: 08/07/2019)
08/07/2019	<u>68</u>	Court's Second Proposed Jury Instructions with citations as to Michael Nissen by District Judge James O. Browning (vv) (Entered: 08/08/2019)
08/07/2019	<u>69</u>	Court's Final Jury Instructions with citations as to Michael Nissen by District Judge James O. Browning (vv) (Entered: 08/08/2019)
08/07/2019	<u>71</u>	RETURN OF EXHIBITS to counsel (vv) (Entered: 08/08/2019)
08/07/2019	<u>73</u>	JURY VERDICT (vv) (Entered: 08/08/2019)
08/13/2019		U.S. Probation and Pretrial Services added as interested party.(Bartholomew, Michael) (Entered: 08/13/2019)
08/13/2019	<u>74</u>	LETTER as to Michael Nissen (vv) (Entered: 08/13/2019)
08/19/2019	<u>75</u>	Court's Final Preliminary Jury Instructions with citations as to Michael Nissen by District Judge James O. Browning (vv) (Entered: 08/19/2019)
08/21/2019	<u>76</u>	First MOTION to Withdraw as Attorney by Kenneth A. Gleria and Jack Mkhitarian by Michael Nissen. (Gleria, Kenneth) (Entered: 08/21/2019)
08/26/2019	<u>77</u>	SUPPLEMENT re <u>76</u> First MOTION to Withdraw as Attorney by Kenneth A. Gleria and Jack Mkhitarian (vv) (Entered: 08/26/2019)

08/28/2019	<u>78</u>		MEMORANDUM in Opposition by USA as to Michael Nissen re <u>76</u> First MOTION to Withdraw as Attorney by Kenneth A. Gleria and Jack Mkhitarian , <i>Motion to Appoint Specific CJA Counsel of Defendant's Choice</i> (Mysliwiec, Paul) (Entered: 08/28/2019)
09/04/2019	<u>79</u>		MOTION to Appoint Counsel by Michael Nissen. (vv) (Entered: 09/05/2019)
09/11/2019	<u>80</u>		ORDER by District Judge James O. Browning granting <u>76</u> Motion to Withdraw as Attorney. Jack Mkhitarian; Kenneth Gleria withdrawn from case as to Michael Nissen (1) (vv) (Entered: 09/11/2019)
09/17/2019	81		CJA Appointment of Attorney Susan M. Porter for Michael Nissen by District Judge James O. Browning (vv) [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (Entered: 09/17/2019)
10/07/2019	84		NOTICE OF HEARING as to Michael Nissen: Sentencing set for 11/8/2019 at 08:30 AM in Albuquerque – 460 Vermejo Courtroom before District Judge James O. Browning. (cjw) [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (Entered: 10/07/2019)
10/08/2019	<u>85</u>		MEMORANDUM OPINION AND ORDER re <u>64</u> Proposed Jury Instructions as to Michael Nissen by District Judge James O. Browning (vv) (Entered: 10/08/2019)
10/16/2019	<u>86</u>		Unopposed MOTION to Continue <i>Sentencing</i> by USA as to Michael Nissen. (Mysliwiec, Paul) (Entered: 10/16/2019)
10/21/2019	<u>87</u>		ORDER by District Judge James O. Browning granting <u>86</u> Motion to Continue Sentencing Hearing at a later date as to Michael Nissen (1) (meq) (Entered: 10/21/2019)
11/21/2019	<u>90</u>		OBJECTION TO PRESENTENCE INVESTIGATION REPORT by USA as to Michael Nissen (Mysliwiec, Paul) (Entered: 11/21/2019)
11/21/2019	91		NOTICE OF HEARING as to Michael Nissen: Sentencing set for 12/13/2019 at 10:00 AM in Albuquerque – 460 Vermejo Courtroom before District Judge James O. Browning. (cjw) [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (Entered: 11/21/2019)
12/05/2019	<u>93</u>		Unopposed MOTION to Continue <i>Sentencing</i> by Michael Nissen. (Porter, Susan) (Entered: 12/05/2019)
12/05/2019	<u>94</u>		TRANSCRIPT of Trial Proceedings as to Michael Nissen held on August 6, 2019, before District Judge James O. Browning. Court Reporter/Transcriber Jennifer Bean, Telephone number 505–348–2283. Transcript may be viewed at the Clerk's Office public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. PLEASE TAKE NOTICE that each party now has seven (7) calendar days to file a Notice of Intent to Request Redaction of any personal identifiers from this transcript. If no notice is filed during this seven–day period, the court

			<p>will assume that redaction of personal data is not necessary and will make the transcript electronically available, as is, to the public after 90 days. For additional guidance, PLEASE REVIEW the complete policy, located in the CM/ECF Administrative Procedures Manual at https://www.nmd.uscourts.gov.</p> <p>Notice of Intent to Request Redaction set for 12/12/2019. Redaction Request due 12/26/2019. Redacted Transcript Deadline set for 1/6/2020. Release of Transcript Restriction set for 3/4/2020. (jab) (Entered: 12/05/2019)</p>
12/05/2019	<u>95</u>		<p>TRANSCRIPT of Trial Proceedings as to Michael Nissen held on August 7, 2019, before District Judge James O. Browning. Court Reporter/Transcriber Jennifer Bean, Telephone number 505-348-2283. Transcript may be viewed at the Clerk's Office public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.</p> <p>PLEASE TAKE NOTICE that each party now has seven (7) calendar days to file a Notice of Intent to Request Redaction of any personal identifiers from this transcript. If no notice is filed during this seven-day period, the court will assume that redaction of personal data is not necessary and will make the transcript electronically available, as is, to the public after 90 days. For additional guidance, PLEASE REVIEW the complete policy, located in the CM/ECF Administrative Procedures Manual at https://www.nmd.uscourts.gov.</p> <p>Notice of Intent to Request Redaction set for 12/12/2019. Redaction Request due 12/26/2019. Redacted Transcript Deadline set for 1/6/2020. Release of Transcript Restriction set for 3/4/2020. (jab) (Entered: 12/05/2019)</p>
12/06/2019	<u>96</u>		<p>ORDER by District Judge James O. Browning granting <u>93</u> Motion to Continue as to Michael Nissen (1) (vv) (Entered: 12/09/2019)</p>
12/09/2019	97		<p>NOTICE OF HEARING as to Defendant Michael Nissen: Sentencing set for 1/15/2020 at 08:30 AM in Albuquerque – 460 Vermejo Courtroom before District Judge James O. Browning. (cjw) (Entered: 12/09/2019)</p>
12/30/2019	<u>98</u>		<p>MOTION for Discovery of Grand Jury Minutes by Michael Nissen. (cmm) (Entered: 12/30/2019)</p>
01/08/2020	<u>99</u>		<p>RESPONSE in Opposition by USA as to Michael Nissen re <u>98</u> MOTION for Discovery (Mysliwiec, Paul) (Entered: 01/08/2020)</p>
01/08/2020	<u>100</u>		<p>MOTION to Withdraw as Attorney by Susan M. Porter by Michael Nissen. (Porter, Susan) (Entered: 01/08/2020)</p>
01/09/2020	<u>101</u>		<p>MEMORANDUM OPINION AND ORDER denying <u>22</u> MOTION for Bill of Particulars , <u>24</u> MOTION to Dismiss for Lack of Jurisdiction , <u>25</u> MOTION to Dismiss <i>Indictment</i> by District Judge James O. Browning (vv) (Entered: 01/09/2020)</p>
01/10/2020	102		

		NOTICE OF HEARING ON MOTION in case as to Michael Nissen <u>100</u> MOTION to Withdraw as Attorney by Susan M. Porter : Motion Hearing set for 1/15/2020 at 08:30 AM in Albuquerque – 460 Vermejo Courtroom before District Judge James O. Browning. (cjw) [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (Entered: 01/10/2020)
01/10/2020	103	AMENDED NOTICE OF HEARING ON MOTION in case as to Michael Nissen <u>100</u> MOTION to Withdraw as Attorney by Susan M. Porter, <u>98</u> MOTION for Discovery : Motion Hearing set for 1/15/2020 at 08:31 AM in Albuquerque – 460 Vermejo Courtroom before District Judge James O. Browning. (cjw) [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (Entered: 01/10/2020)
01/15/2020	<u>104</u>	Clerk's Minutes for proceedings held before District Judge James O. Browning: Motion Hearing as to Michael Nissen held on 1/15/2020 re <u>100</u> MOTION to Withdraw as Attorney by Susan M. Porter filed by Michael Nissen, <u>98</u> MOTION for Discovery filed by Michael Nissen (Court Reporter: J Bean) (vv) (Entered: 01/15/2020)
01/15/2020	<u>105</u>	Clerk's Minutes for proceedings held before District Judge James O. Browning: Sentencing Hearing Continued as to Michael Nissen held on 1/15/2020 (Court Reporter: J Bean) (vv) (Entered: 01/15/2020)
01/15/2020	<u>106</u>	MOTION for leave to Amend by addendum by Michael Nissen. (vv) (Entered: 01/15/2020)
01/17/2020	108	CJA Appointment of Attorney Joe M. Romero, Jr for Michael Nissen by District Judge James O. Browning (vv) [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (Entered: 01/17/2020)
01/24/2020	<u>109</u>	MOTION to Dismiss Information on two counts by Michael Nissen. (vv) (Entered: 01/24/2020)
01/24/2020	<u>110</u>	MOTION for judgment of acquittal after guilty verdict or, in the alternative, for New Trial by Michael Nissen. (vv) (Entered: 01/24/2020)
01/27/2020	<u>111</u>	MOTION for Acquittal or to dismiss Information of two counts by Michael Nissen. (vv) (Entered: 01/27/2020)
02/06/2020	<u>112</u>	MOTION for Acquittal by Michael Nissen. (vv) (Entered: 02/06/2020)
02/19/2020	<u>113</u>	MOTION to Dismiss information of illegal convictions on counts I and II by Michael Nissen. (vv) (Entered: 02/19/2020)
02/20/2020	<u>114</u>	TRANSCRIPT of Motion Proceedings as to Michael Nissen held on January 15, 2020, before District Judge James O. Browning. Court Reporter/Transcriber Jennifer Bean, Telephone number 505-348-2283. Transcript may be viewed at the Clerk's Office public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. PLEASE TAKE NOTICE that each party now has seven (7) calendar days to file a Notice of Intent to Request

		<p>Redaction of any personal identifiers from this transcript. If no notice is filed during this seven-day period, the court will assume that redaction of personal data is not necessary and will make the transcript electronically available, as is, to the public after 90 days. For additional guidance, PLEASE REVIEW the complete policy, located in the CM/ECF Administrative Procedures Manual at https://www.nmd.uscourts.gov.</p> <p>Notice of Intent to Request Redaction set for 2/27/2020. Redaction Request due 3/12/2020. Redacted Transcript Deadline set for 3/23/2020. Release of Transcript Restriction set for 5/20/2020. (jab) (Entered: 02/20/2020)</p>
02/24/2020		Attorney update in case as to Michael Nissen. Attorney Susan M. Porter terminated. (vv) (Entered: 02/24/2020)
02/25/2020	115	<p>NOTICE OF HEARING ON MOTION in case as to Defendant Michael Nissen <u>113</u> MOTION to Dismiss, <u>110</u> MOTION for New Trial, <u>109</u> MOTION to Dismiss, <u>112</u> MOTION for Acquittal, <u>111</u> MOTION for Acquittal, <u>106</u> MOTION to Amend/Correct, <u>98</u> MOTION for Discovery : Motions Hearing set for 3/23/2020 at 08:30 AM in Albuquerque – 460 Vermejo Courtroom before District Judge James O. Browning. (cjlw)</p> <p>[THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.]</p> <p>(Entered: 02/25/2020)</p>
02/25/2020	116	<p>NOTICE OF HEARING as to Defendant Michael Nissen: Sentencing set for 3/23/2020 at 08:31 AM in Albuquerque – 460 Vermejo Courtroom before District Judge James O. Browning. (cjlw)</p> <p>[THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.]</p> <p>(Entered: 02/25/2020)</p>
02/26/2020	<u>117</u>	Second MOTION to Continue <i>Sentencing</i> by USA as to Michael Nissen. (Mysliwiec, Paul) (Entered: 02/26/2020)
02/27/2020	<u>118</u>	AFFIDAVIT by Michael Nissen (vv) (Entered: 02/27/2020)
02/28/2020	<u>119</u>	RESPONSE in Opposition by USA as to Michael Nissen re <u>106</u> MOTION to Amend/Correct, <u>110</u> MOTION for New Trial, <u>113</u> MOTION to Dismiss, <u>109</u> MOTION to Dismiss, <u>111</u> MOTION for Acquittal, <u>112</u> MOTION for Acquittal (Mysliwiec, Paul) (Entered: 02/28/2020)
03/02/2020	<u>120</u>	Mail Returned as Undeliverable re <u>113</u> MOTION to Dismiss. Mail sent to Michael Nissen (bap) (Entered: 03/02/2020)
03/06/2020	<u>121</u>	ORDER by District Judge James O. Browning granting <u>117</u> Motion to Continue as to Michael Nissen (1) (vv) (Entered: 03/06/2020)
03/06/2020	<u>122</u>	ORDER by District Judge James O. Browning granting <u>100</u> MOTION to Withdraw as Attorney by Susan M. Porter filed by Michael Nissen (vv) (Entered: 03/06/2020)
03/13/2020	<u>125</u>	MOTION for leave to proceed pursuant to 28 USC 1915 by Michael Nissen. (vv) (Entered: 03/13/2020)
03/13/2020	<u>126</u>	AFFIDAVIT by Michael Nissen (vv) (Entered: 03/13/2020)

03/20/2020	<u>128</u>	AMENDED NOTICE OF HEARING ON MOTION in case as to Defendant Michael Nissen <u>113</u> MOTION to Dismiss, <u>125</u> MOTION for Order, <u>110</u> MOTION for New Trial, <u>109</u> MOTION to Dismiss, <u>111</u> MOTION for Acquittal, <u>112</u> MOTION for Acquittal, <u>106</u> MOTION to Amend/Correct, <u>98</u> MOTION for Discovery : Motion Hearing set for 3/23/2020 at 08:30 AM in Albuquerque – 460 Vermejo Courtroom before District Judge James O. Browning. (cjlw) [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (Entered: 03/20/2020)
03/23/2020	<u>129</u>	NOTICE of email re transport of Michael Nissen for motion hearing for today (bap) (Entered: 03/23/2020)
03/23/2020	130	NOTICE OF HEARING as to Defendant Michael Nissen: Sentencing set for 5/7/2020 at 02:30 PM in Albuquerque – 460 Vermejo Courtroom before District Judge James O. Browning. (cjlw) [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (Entered: 03/23/2020)
03/23/2020	<u>131</u>	Clerk's Minutes for proceedings held before District Judge James O. Browning: Motion Hearing as to Michael Nissen held on 3/23/2020 re <u>98</u> <u>106</u> <u>109</u> <u>110</u> <u>111</u> <u>112</u> <u>113</u> <u>125</u> (Court Reporter: J Bean) (vv) (Entered: 03/23/2020)
04/06/2020	<u>132</u>	TRANSCRIPT of Motion Proceedings as to Michael Nissen held on March 23, 2020, before District Judge James O. Browning. Court Reporter/Transcriber Jennifer Bean, Telephone number 505-348-2283. Transcript may be viewed at the Clerk's Office public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. PLEASE TAKE NOTICE that each party now has seven (7) calendar days to file a Notice of Intent to Request Redaction of any personal identifiers from this transcript. If no notice is filed during this seven-day period, the court will assume that redaction of personal data is not necessary and will make the transcript electronically available, as is, to the public after 90 days. For additional guidance, PLEASE REVIEW the complete policy, located in the CM/ECF Administrative Procedures Manual at https://www.nmd.uscourts.gov. Notice of Intent to Request Redaction set for 4/13/2020. Redaction Request due 4/27/2020. Redacted Transcript Deadline set for 5/7/2020. Release of Transcript Restriction set for 7/6/2020. (jab) (Entered: 04/06/2020)
04/21/2020	<u>135</u>	MEMORANDUM OPINION AND ORDER denying <u>111</u> MOTION for Acquittal, <u>110</u> MOTION for New Trial, <u>98</u> MOTION for Discovery, <u>79</u> MOTION to Appoint Counsel, <u>113</u> MOTION to Dismiss, <u>112</u> MOTION for Acquittal, <u>106</u> MOTION to Amend/Correct, <u>109</u> MOTION to Dismiss. Related Document(s): <u>106</u> MOTION to Amend/Correct, <u>110</u> MOTION for New Trial, <u>113</u> MOTION to Dismiss, <u>109</u> MOTION to Dismiss, <u>98</u> MOTION for Discovery, <u>79</u> MOTION to Appoint Counsel, <u>111</u> MOTION for Acquittal, <u>112</u> MOTION for Acquittal as to Michael Nissen by District Judge James O. Browning (vv) (Entered: 04/21/2020)

04/30/2020	<u>136</u>	MOTION for Downward Departure by Michael Nissen. (Romero, Joe) (Entered: 04/30/2020)
05/04/2020	138	NOTICE OF HEARING ON MOTION in case as to Defendant Michael Nissen <u>137</u> Second MOTION for Psychiatric/Psychological Exam : Motion Hearing set for 5/7/2020 at 02:30 PM in Albuquerque – 460 Vermejo Courtroom before District Judge James O. Browning. (cjlw) [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (Entered: 05/04/2020)
05/05/2020	<u>139</u>	RESPONSE in Opposition by USA as to Michael Nissen re <u>137</u> Second MOTION for Psychiatric/Psychological Exam (Mysliwiec, Paul) (Entered: 05/05/2020)
05/07/2020	<u>143</u>	LETTERS of support as to Michael Nissen (vv) (Entered: 05/07/2020)
05/07/2020	<u>144</u>	Clerk's Minutes for proceedings held before District Judge James O. Browning: Motion Hearing as to Michael Nissen held on 5/7/2020 re <u>137</u> Second MOTION for Psychiatric/Psychological Exam filed by Michael Nissen (Court Reporter: R Brazil) (vv) (Entered: 05/07/2020)
05/26/2020	<u>145</u>	LETTER as to Michael Nissen (vv) (Entered: 05/26/2020)
06/03/2020	<u>146</u>	MEMORANDUM OPINION AND ORDER Re <u>90</u> Objection to Presentence Investigation Report as to Michael Nissen by District Judge James O. Browning (vv) (Entered: 06/04/2020)
07/02/2020	<u>149</u>	Opinion of illegal conviction memorandum by Michael Nissen (vv) (Entered: 07/02/2020)
07/02/2020	<u>150</u>	LETTER as to Michael Nissen (vv) (Entered: 07/02/2020)
07/14/2020	<u>152</u>	LETTER as to Michael Nissen (vv) (Entered: 07/14/2020)
10/26/2020	<u>153</u>	LETTER as to Michael Nissen (vv) (Entered: 10/26/2020)
01/29/2021	<u>154</u>	LETTER as to Michael Nissen (vv) (Entered: 01/29/2021)
01/29/2021	<u>155</u>	NOTICE of immediate extinguishment by Michael Nissen (vv) (Entered: 01/29/2021)
01/29/2021	<u>156</u>	NOTICE of Interest by Michael Nissen (vv) (Entered: 01/29/2021)
01/29/2021	<u>157</u>	LETTER as to Michael Nissen (vv) (Entered: 01/29/2021)
01/29/2021	<u>158</u>	AFFIDAVIT of truth by Michael Nissen (vv) (Entered: 01/29/2021)
01/29/2021	<u>159</u>	AFFIDAVIT of status by Michael Nissen (vv) (Entered: 01/29/2021)
01/29/2021	<u>160</u>	Declaration of Truth by Michael Nissen (vv) (Entered: 01/29/2021)
01/29/2021	<u>161</u>	Declaration of Status by Michael Nissen (vv) (Entered: 01/29/2021)
01/29/2021	<u>162</u>	Statement of Interest by Michael Nissen (vv) (Entered: 01/29/2021)
01/29/2021	<u>163</u>	Non statutory abatement of persona designata by Michael Nissen (vv) (Entered: 01/29/2021)
02/16/2021	<u>164</u>	NOTICE by Michael Nissen (vv) (Entered: 02/16/2021)

03/12/2021	<u>165</u>	NOTICE by Michael Nissen (vv) (Entered: 03/12/2021)
03/12/2021	<u>166</u>	NOTICE by Michael Nissen (vv) (Entered: 03/12/2021)
03/15/2021	<u>168</u>	LETTER as to Michael Nissen (vv) (Entered: 03/15/2021)
04/26/2021	<u>171</u>	NOTICE to Michael Nissen (vv) (Entered: 04/26/2021)
04/26/2021	<u>172</u>	NOTICE by Michael Nissen (vv) (Entered: 04/26/2021)
04/26/2021	<u>173</u>	NOTICE –Writ of Order by Michael Nissen (vv) (Entered: 04/26/2021)
04/29/2021	174	<p>NOTICE OF HEARING ON <i>Motion to Determine Counsel</i> <u>170</u> set for 5/7/2021 at 01:30 AM in Albuquerque – 460 Vermejo Courtroom before District Judge James O. Browning.</p> <p>Should a party wish to appear remotely for this hearing they shall notify the Court by filing a written notice no later than 5/5/2021 indicating the preferred method of attendance (via telephone, via Zoom or any other desired method). Counsel for the Defendant is responsible for notifying the Court of the means by which the Defendant will appear. Upon receipt of notification that one or more of the party(ies) wishes to appear remotely via Zoom the Court will schedule the Zoom session and provide connectivity details to the parties through separate notice/communication. Parties wishing to appear telephonically can connect to the hearing by contacting (888) 684–8852 Access Code: 5469085</p> <p>In addition, should a Defendant wish to appear remotely, defense counsel shall secure a signed Waiver of Appearance from the Defendant and that shall be filed no later than 24 hours prior to the hearing.</p> <p>Absent notification as indicated above, the Court will presume an in–person appearance is intended and plan accordingly.(lr)</p> <p>[THIS IS A TEXT–ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (Entered: 04/29/2021)</p>
04/29/2021	175	<p>NOTICE of Sentencing Hearing scheduled for 6/18/2021 at 01:30 PM in Albuquerque – 460 Vermejo Courtroom before District Judge James O. Browning.</p> <p>Should a party wish to appear remotely for this hearing they shall notify the Court by filing a written notice no later than 6/16/2021 indicating the preferred method of attendance (via telephone, via Zoom or any other desired method). Counsel for the Defendant is responsible for notifying the Court of the means by which the Defendant will appear. Upon receipt of notification that one or more of the party(ies) wishes to appear remotely via Zoom the Court will schedule the Zoom session and provide connectivity details to the parties through separate notice/communication. Parties wishing to appear telephonically can connect to the hearing by contacting (888) 684–8852 Access Code: 5469085</p> <p>In addition, should a Defendant wish to appear remotely, defense counsel shall secure a signed Waiver of Appearance from the Defendant and that shall be filed no later than 24 hours prior to the hearing.</p> <p>Absent notification as indicated above, the Court will presume an in–person appearance is intended and plan accordingly.(lr)</p> <p>[THIS IS A TEXT–ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (Entered: 04/29/2021)</p>

04/29/2021	176		<p>AMENDED NOTICE OF HEARING on <u>170</u> MOTION to Withdraw as Attorney <i>Motion to Determine Counsel</i> scheduled for 5/7/2021 at 01:30 PM in Albuquerque – 460 Vermejo Courtroom before District Judge James O. Browning.</p> <p>Should a party wish to appear remotely for this hearing they shall notify the Court by filing a written notice no later than 5/5/2021 indicating the preferred method of attendance (via telephone, via Zoom or any other desired method). Counsel for the Defendant is responsible for notifying the Court of the means by which the Defendant will appear. Upon receipt of notification that one or more of the party(ies) wishes to appear remotely via Zoom the Court will schedule the Zoom session and provide connectivity details to the parties through separate notice/communication. Parties wishing to appear telephonically can connect to the hearing by contacting (888) 684–8852 Access Code: 5469085</p> <p>In addition, should a Defendant wish to appear remotely, defense counsel shall secure a signed Waiver of Appearance from the Defendant and that shall be filed no later than 24 hours prior to the hearing.</p> <p>Absent notification as indicated above, the Court will presume an in–person appearance is intended and plan accordingly.(lr)</p> <p>[THIS IS A TEXT–ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.]</p> <p>(Entered: 04/29/2021)</p>
05/04/2021	<u>177</u>		NOTICE by Michael Nissen (vv) (Entered: 05/04/2021)
05/11/2021	<u>178</u>		LETTER as to Michael Nissen (vv) (Entered: 05/11/2021)
05/17/2021	<u>179</u>		AFFIDAVIT by Michael Nissen (vv) (Entered: 05/17/2021)
05/24/2021	<u>180</u>		Declaration by Michael Nissen (vv) (Entered: 05/24/2021)
05/25/2021	<u>181</u>		AFFIDAVIT of competency and status by Michael Nissen (vv) (Entered: 05/25/2021)
05/28/2021	<u>184</u>		<p>Clerk's Minutes for proceedings held before District Judge James O. Browning: Motion Hearing as to Michael Nissen held on 5/28/2021 re <u>170</u> MOTION to Withdraw as Attorney <i>Motion to Determine Counsel</i> by Joe M. Romero, Jr. filed by Michael Nissen (Court Reporter: J Bean) (vv) (Entered: 05/28/2021)</p>
06/01/2021	<u>186</u>		NOTICE of Motion to Dismiss by Michael Nissen (Attachments: # <u>1</u> Letter)(bap) (Entered: 06/01/2021)
06/01/2021	<u>187</u>		AFFIDAVIT of Due Process Violations by Michael Nissen (bap) (Entered: 06/01/2021)
06/01/2021	<u>188</u>		MOTION to Vacate under 28 U.S.C. 2255 by Michael Nissen. (bap) Civil case 1:21–cv–00505–JB opened. (Entered: 06/01/2021)
06/01/2021			Judge update in case as to Michael Nissen. United States Magistrate Judge Stephan M. Vidmar added. (jg) (Entered: 06/01/2021)
06/01/2021	189		PLEASE TAKE NOTICE that subsequent documents related to <u>188</u> MOTION to Vacate under 28 U.S.C. 2255 should be filed into the civil case only, with the exception of the order disposing of the motion which should be filed to both the civil and criminal case in which the challenged judgment was entered.

			[THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (jg) (Entered: 06/01/2021)
06/04/2021	<u>190</u>		NOTICE of show cause by Michael Nissen (vv) (Entered: 06/04/2021)
06/04/2021	<u>191</u>		NOTICE by Michael Nissen (vv) (Entered: 06/04/2021)
06/04/2021	<u>192</u>		AFFIDAVIT by Michael Nissen (vv) (Entered: 06/04/2021)
06/04/2021	<u>193</u>		AFFIDAVIT by Michael Nissen (vv) (Entered: 06/04/2021)
06/04/2021	<u>194</u>		AFFIDAVIT by Michael Nissen (vv) (Entered: 06/04/2021)
06/04/2021	<u>195</u>		Declaration by Michael Nissen (vv) (Entered: 06/04/2021)
06/04/2021	<u>196</u>		Declaration by Michael Nissen (vv) (Entered: 06/04/2021)
06/04/2021	<u>197</u>		Clearfield doctrine in full force by Michael Nissen (vv) (Entered: 06/04/2021)
06/07/2021	<u>198</u>		SENTENCING MEMORANDUM by Michael Nissen (Romero, Joe) (Entered: 06/07/2021)
06/08/2021	<u>199</u>		ORDER finding Michael Nissen competent by District Judge James O. Browning (vv) (Entered: 06/08/2021)
06/09/2021	<u>200</u>		SENTENCING MEMORANDUM by USA as to Michael Nissen (Mysliwiec, Paul) (Entered: 06/09/2021)
06/10/2021	<u>201</u>		AFFIDAVIT by Michael Nissen (vv) (Entered: 06/10/2021)
06/10/2021	<u>202</u>		Declaration by Michael Nissen (vv) (Entered: 06/10/2021)
06/16/2021	<u>204</u>		AFFIDAVIT by Michael Nissen of formal objection to the United States final PSR Objection and sentencing memorandum (vv) (Entered: 06/16/2021)
06/16/2021	<u>205</u>		Declaration Decree by Michael Nissen (vv) (Entered: 06/16/2021)
06/17/2021	<u>206</u>		AFFIDAVIT by Michael Nissen (vv) (Entered: 06/17/2021)
06/18/2021	<u>207</u>		MEMORANDUM OPINION AND ORDER by District Judge James O. Browning; the objection in Defendant's Affidavit of Formal Objections to Second Addendum to the Presentence Report <u>194</u> , and the objection in United States' Final PSR Objection and Sentencing Memorandum <u>200</u> are overruled. (lr) (Entered: 06/18/2021)
06/18/2021	<u>213</u>		Clerk's Minutes for proceedings held before District Judge James O. Browning: Sentencing held on 6/18/2021 for Michael Nissen (1), 1, 2, SENTENCE IMPOSED: CBOP-41 months concurrent; Supervised Release-3 years concurrent; SPA-\$200; debt in custody. (Court Reporter: J Bean) (vv) (Entered: 06/30/2021)
06/23/2021	<u>208</u>		AFFIDAVIT by Michael Nissen (vv) (Entered: 06/23/2021)
06/28/2021	<u>209</u>		NOTICE by Michael Nissen (vv) (Entered: 06/28/2021)
06/30/2021	<u>210</u>		MEMORANDUM OPINION AND ORDER dismissing <u>188</u> MOTION to Vacate under 28 U.S.C. 2255 as to Michael Nissen by District Judge James O. Browning (vv) (Entered: 06/30/2021)

06/30/2021	<u>211</u>	FINAL JUDGMENT as to Michael Nissen by District Judge James O. Browning (vv) (Entered: 06/30/2021)
06/30/2021	<u>212</u>	LETTER as to Michael Nissen (vv) (Entered: 06/30/2021)
07/06/2021	<u>214</u>	NOTICE OF APPEAL by Michael Nissen re <u>207</u> Order (Appeal Fee Not Paid.) (vv) (Entered: 07/07/2021)
07/07/2021	<u>215</u>	Transmission of Preliminary Record as to Michael Nissen to US Court of Appeals re <u>214</u> Notice of Appeal – Final Judgment (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(vv) (Entered: 07/07/2021)
07/07/2021	<u>216</u>	USCA Information Letter with Case Number as to Michael Nissen 21–2079 for <u>214</u> Notice of Appeal – Final Judgment filed by Michael Nissen. (vv) (Entered: 07/07/2021)
07/08/2021	<u>217</u>	ORDER OF USCA as to Michael Nissen – the matter is abated (vv) (Entered: 07/08/2021)
07/27/2021	<u>218</u>	UNSEALED MEMORANDUM OPINION AND ORDER by District Judge James O. Browning granting <u>137</u> Second MOTION for Psychiatric/Psychological Exam as to Michael Nissen and Committing debt to the custody of the Attorney General for treatment and evaluation (bap) (Entered: 07/27/2021)
08/03/2021	<u>219</u>	AFFIDAVIT of Formal OBJECTION re <u>218</u> Memorandum Opinion and Order, (bap) (Entered: 08/03/2021)
08/18/2021	<u>221</u>	MEMORANDUM OPINION AND ORDER by District Judge James O. Browning that: (i) the Affidavit of Due Process of Law Violation for Excluding Movant from Proceedings on Ruling Dismissing 28 U.S.C. § 2255, filed July 6, 2021 (CIV Doc. 10), is denied; (ii) the Affidavit of Formal Objection of Memorandum Opinion of Order and Final Judgment, filed July 9, 2021 (CIV Doc. 11), is denied; (iii) the Notice of Motion to Leave for Addendum to 28 U.S.C. § 2255 Motion, filed August 2, 2021 (Doc. 16), is denied; (iv) the Notice of Motion to Leave for 3rd Addendum to 28 U.S.C. § 2255 Motion, filed August 9, 2021 (Doc. 16), is denied;and (v) the Clerk of the Court is directed to transmit a copy of this Memorandum Opinion and Order to the United States Court of Appeals for the Tenth Circuit as a supplemental record. (bap) (Entered: 08/18/2021)
08/18/2021	<u>222</u>	Supplemental Record on Appeal transmitted to US Court of Appeals in 1 Volume(s), as to Michael Nissen re <u>214</u> Notice of Appeal – Final Judgment (bap) (Entered: 08/18/2021)
08/19/2021	<u>223</u>	MEMORANDUM OPINION AND ORDER by District Judge James O. Browning denying <u>170</u> MOTION to Withdraw as Attorney <i>Motion to Determine Counsel</i> by Joe M. Romero, Jr. as to Michael Nissen (bap) (Entered: 08/19/2021)
08/25/2021	<u>224</u>	AFFIDAVIT by Michael Nissen Concerning the Professional Malconduct Actions of Judge James O. Browning, Joe Romero Jr., Esquire <u>223</u> Memorandum Opinion and Order (bap) (Entered: 08/25/2021)
08/26/2021	<u>225</u>	AFFIDAVIT OF OBJECTION re <u>221</u> Memorandum Opinion and Order, by Michael James Nissen (bap) (Entered: 08/26/2021)

08/27/2021	226		JUDGMENT as to Michael Nissen by District Judge James O. Browning (jmg) (Entered: 08/27/2021)
08/29/2021	227		NOTICE OF APPEAL – <i>Final Judgment (Filing Fee– Waived)</i> by Michael Nissen re 226 Judgment (Romero, Joe) Modified text on 8/30/2021 (Wrong Event was used, appeal documents will NOT be linked properly) (bap). (Entered: 08/29/2021)